

United States District Court  
for the  
EASTERN DISTRICT OF TENNESSEE

Southern Appalachian Mine Supply, Inc.,	)	
	)	
Plaintiff	)	
	)	
v.	)	Civil Action No. <u>3 : 12 - cv - 350</u>
	)	
James C. Justice Companies, Inc.,	)	
A&G Coal Corporation,	)	
Sequoia Energy, LLC, and	)	
Virginia Fuel Corporation,	)	
	)	
Defendants.	)	

**COMPLAINT ON A CLAIM FOR A DEBT**

1) The plaintiff is a corporation incorporated under the laws of Tennessee with its principal place of business in Tennessee. The defendant, James C. Justice Companies, Inc. is a corporation incorporated under the laws of Delaware with its principal place of business in West Virginia. The defendant, A & G Coal Corporation is a corporation incorporated under the laws of Virginia with its principal place of business in Virginia. The defendant, Sequoia Energy, LLC is a Kentucky Limited Liability Company with its principal place of business in Kentucky. The defendant Virginia Fuel Corporation is a corporation incorporated under the laws of Virginia with its principal place of business in West Virginia. Upon information and belief it is averred that the defendant James C. Justice Companies, Inc. owns, either directly or through subsidiaries, the other three defendants. The amount in controversy, without interest and costs, exceeds the sum or value specified by 28 U.S.C. § 1332.

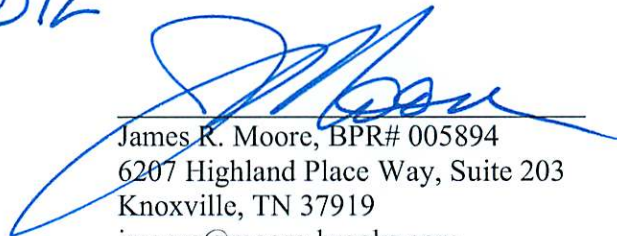
2) The plaintiff is in the business of selling mining supplies and has for several years sold such supplies, mainly Mine Safety Dust to various mines owned by the defendants. Between November 28, 2011 and April 11, 2012 the plaintiff has sold the defendants a sum of \$198,732.98 in goods, on terms of "Net 60", that are past due and unpaid.

3) The defendant, A & G Coal Corporation owes the plaintiff the amount of \$45,767.81. The defendant, Sequoia Energy, LLC owes the plaintiff the amount of \$30,579.12. The defendant Virginia Fuel Corporation owes the plaintiff the amount of \$93,403.76. Defendant James C. Justice Companies, Inc. is jointly and severally liable for the amounts owned by the other three defendants and owes the plaintiff the total amount of \$198,732.98.

Therefore, the plaintiff demands that:

- (a) judgment for \$45,767.81, plus costs, be entered against the defendant A & G Coal Corporation; and
- (b) judgment for \$30,579.12, plus costs, be entered against the defendant Sequoia Energy, LLC; and
- (c) judgment for \$93,403.76, plus costs, be entered against the defendant Virginia Fuel Corporation; and
- (d) judgment be entered against the defendant James C. Justice Companies, Inc., holding it jointly and severally liable for the sums owned by the other defendants, plus an additional amount of \$28,982.29, for a total of \$198,732.98.

Date: July 12, 2012

  
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